

Effective 5/9/2017

Renumbered 1/24/2018

53A-1-1403 State student data protection governance.

- (1)
 - (a) An education entity or a third-party contractor who collects, uses, stores, shares, or deletes student data shall protect student data as described in this part.
 - (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules to administer this part, including student data protection standards for public education employees, student aides, and volunteers.
- (2) The board shall oversee the preparation and maintenance of:
 - (a) a statewide data governance plan; and
 - (b) a state-level metadata dictionary.
- (3) As described in this Subsection (3), the board shall establish advisory groups to oversee student data protection in the state and make recommendations to the board regarding student data protection.
 - (a) The board shall establish a student data policy advisory group:
 - (i) composed of members from:
 - (A) the Legislature;
 - (B) the board and board employees; and
 - (C) one or more LEAs;
 - (ii) to discuss and make recommendations to the board regarding:
 - (A) enacted or proposed legislation; and
 - (B) state and local student data protection policies across the state;
 - (iii) that reviews and monitors the state student data governance plan; and
 - (iv) that performs other tasks related to student data protection as designated by the board.
 - (b) The board shall establish a student data governance advisory group:
 - (i) composed of the state student data officer and other board employees; and
 - (ii) that performs duties related to state and local student data protection, including:
 - (A) overseeing data collection and usage by board program offices; and
 - (B) preparing and maintaining the board's student data governance plan under the direction of the student data policy advisory group.
 - (c) The board shall establish a student data users advisory group:
 - (i) composed of members who use student data at the local level; and
 - (ii) that provides feedback and suggestions on the practicality of actions proposed by the student data policy advisory group and the student data governance advisory group.
- (4)
 - (a) The board shall designate a state student data officer.
 - (b) The state student data officer shall:
 - (i) act as the primary point of contact for state student data protection administration in assisting the board to administer this part;
 - (ii) ensure compliance with student privacy laws throughout the public education system, including:
 - (A) providing training and support to applicable board and LEA employees; and
 - (B) producing resource materials, model plans, and model forms for local student data protection governance, including a model student data disclosure statement;
 - (iii) investigate complaints of alleged violations of this part;
 - (iv) report violations of this part to:
 - (A) the board;

- (B) an applicable education entity; and
 - (C) the student data policy advisory group; and
 - (v) act as a state level student data manager.
- (5) The board shall designate:
- (a) at least one support manager to assist the state student data officer; and
 - (b) a student data protection auditor to assist the state student data officer.
- (6) The board shall establish an external research review process for a request for data for the purpose of external research or evaluation.